The Applicants traverse the rejection and respectfully submit that the amended claims particularly point out and distinctly claim the invention. Amended independent claims 1 and 33 recite inclusion of filler ranging by weight between a nonzero percentage proximate 0% and approximately 40%, and a nonzero percentage proximate 0% to approximately 40 filler respectively, in the claimed friction material. The Applicants respectfully submit that this recitation is definite, at all times calling for the inclusion of some amount of filler in the claimed friction material. Accordingly, claims 1 and 33 are definite. Based on claims dependency, claims 2-7, 9-11, 25, 28, and 34-39 are also definite. Thus, the Applicants respectfully request withdrawal of the rejection of all pending claims under 35 U.S.C. 112(b).

Information Disclosure Statement

The Office also asserts that the information disclosure statement file March 11, 1998, fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent, each publication or that portion which caused it to be listed, and all other information or that portion which caused it to be listed. The Office asserts that it failed to receive any of the foreign document listed on the information disclosure statement.

The Applicant respectfully submits that all foreign patent documents listed in the information disclosure statement were provided to the Office at the time of submission. The Applicant notes that the foreign documents were initially disclosed and provided in the parent application of this continuation application and so, by rule, did not have to be re-submitted in this application but merely disclosed. The foreign documents were disclosed in the application transmittal of this continuation application. The Applicant also notes that the face of the parent application, U.S. Application No. 5,807,518, lists the foreign documents. Nevertheless, the Applicant provides herewith an additional copy of the foreign documents listed in the information disclosure statement of March 11, 1998, and requests consideration of the same.

Conclusion

Based on the foregoing remarks, it is respectfully submitted that all the claims as

currently pending are patentable and in condition for allowance. Reconsideration of the application and withdrawal of the rejections are respectfully requested.

In the event that a telephone conference would facilitate examination in any way, the Examiner is invited to contact the undersigned representative at the number provided.

Respectfully submitted,

Dated: February 27, 2003

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CLAIMS MARKED TO SHOW CHANGES MADE

1. (Five Times Amended) A friction material designed for fitting to a device employing friction in a liquid medium, the friction material comprising

approximately 20% to 40% by weight a mat of non-woven fibres,

approximately 40% to 60% by weight a thermosetting resin which impregnates said fibres, wherein the fibres have a length of at least 12 mm, and

[approximately 0% to 40% by weight] filler ranging by weight between a nonzero percentage proximate 0% and approximately 40%, wherein the non-woven fibres and the resin are found in specific proportions with the filler.

2. A friction material according to Claim 1, wherein the average length of the fibres is at most 120 mm.

3. A friction material according to Claim 2, wherein the fibres are chosen from the group consisting of glass, wool, cotton, ceramic, polyacrylonitrile, preoxidized polyacrylonitrile and aramid.

4. A friction material according to Claim 3, wherein the filler is in powder form and incorporated into the mat.

5. A friction material according to Claim 4, wherein the filler is selected from the group consisting of copper, rockwool, carbon, zirconium silicate, iron sulphide, alumina, rubber and diatoms.

6. A friction material according to Claim 4, wherein the filler is in the form of pulps and incorporated into the mat.

7. A friction material according to Claim 6, wherein the filler is selected from the group consisting of the pulps of glass, aramid, acrylic and phenolic fibres.

9. A friction material according to Claim 1, wherein the thermosetting resin is resol-based.

10. A friction material according to Claim 1, wherein latex is added to the thermosetting resin.

11. A friction material according to Claim 1, wherein the filler is in powder form and incorporated into the thermosetting resin, and wherein the filler is selected from the group consisting of copper, rockwool, carbon, zirconium silicate, iron sulphide, alumina, rubber and diatoms.

25. A friction material according to Claim 5, wherein the filler is in form of pulps and incorporated into the mat.

28. A friction material according to Claim 1, wherein the thermosetting resin includes a polar solvent, the polar solvent being an aqueous polar solvent.

33. (Two Times Amended) A friction material for a device employing friction in a liquid medium, the friction material comprising a mat of non-woven fibres impregnated with a thermosetting resin, wherein the friction material comprises by weight

approximately 20% to 40% fibres selected from the group consisting of glass, wool, cotton, ceramic, polyacrylonitrile, preoxidized polyacrylonitrile and aramid;

approximately 40% to 60% thermosetting resin selected from the group consisting of water-based resins, resol-based resins, phenolic plastic resins, aminoaldehyde resins, epoxy resins and polyimide resins; and

a nonzero percentage proximate [approximately] 0% to approximately 40% filler, wherein the fibres and the thermosetting resin are found in specific proportions with the filler.

34. The friction material according to Claim 33 wherein the fibres have an average length of between approximately 12 mm and 120 mm.

35. The friction material according to Claim 33 that is by weight approximately 20% glass fibres,

10% ceramic fibres, 10% polyacrylonitrile fibres, and 60% water-based resin.

36. The friction material according to Claim 33 that is by weight approximately 30% cotton fibres, 10% ceramic fibres, and 60% water-based resin.

37. The friction material according to Claim 33, wherein the filler is selected from the group consisting of copper, rockwool, carbon, zirconium silicate, iron sulphide, alumina, rubber, diatoms, glass, aramid, acrylic and phenolic fibres.

38. The friction material according to Claim 37 that is by weight approximately 20% glass fibres, 10% ceramic fibres, 10% polyacrylonitrile fibres, 10% carbon, 10% coke, and 40% resol-based resin.

39. The friction material according to Claim 37 that is by weight approximately 20% glass fibres, 10% ceramic fibres, 10% polyacrylonitrile fibres, 10% copper, 10% rockwool, and 40% resol-based resin.